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# CONSTITUTIONAL AND LEGAL BASIS OF CIVIL SOCIETY INSTITUTIONS

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## Abstract:

In the conditions of democratic modernization of our country, constitutional reforms based on national characteristics and international experience were carried out based on the requirements of today's times. In the Constitution of the Republic of Uzbekistan, among other important areas and priorities of our life, the norms related to the formation of an active civil society and the further development of the institution of public control were included. This article describes the constitutional strengthening of the rights, status and powers of civil society institutions. At the same time, in accordance with the Constitution, the main areas of activity of the institutions of civil society are studied.

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## Keywords

Civil society, civil society institutions, constitution, legal basis, public control, social partnership, non-governmental non-profit organization, self-government bodies, mass media, referendum.

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## Introduction

Today, comprehensive reforms aimed at the comprehensive development of our country and the establishment of a free and fair civil society are being carried out. As President Sh.Mirziyoyev said about this, "The prosperity of the country can be achieved only with a strong and fair civil society" [1]. It should be noted that the structures that characterize civil society in a practical way are civil society institutions. That is, the individual occupies an important place in civil society. All institutions help to realize the rights, opportunities and interests, goals and aspirations of a person [2].

It is the activity of these institutions that determines the level of democracy of the existing civil society [3]. It is clear from this that every country that has set itself the goal of building an open and fair civil society must first of all strengthen the legal foundations of civil society institutions. A political scientist who has analyzed the reforms being implemented in our country says the following about this: «In Uzbekistan, within the framework of the consistent implementation of the principle of «From a strong state to a strong civil society», a stable citizen supported by broad sections of the population, working independently, creation of all the necessary organizational, legal and material conditions for the formation and development of the institutions of the society defines a new stage of the civil society [4]. In fact, the high level of civil society depends on the number of civil society institutions in the country and the legal, economic and social conditions for their free operation. Sh.Mirziyoyev of the Republic of Uzbekistan also recognized the incomparable role of civil society institutions in the full realization of individual rights and freedoms, «Constitutionally strengthening the role and status of civil society institutions in our Basic Law» [5] period insists that it is a requirement.

Based on this necessity, a constitutional reform was carried out in our country, and on April 30, 2023, on the basis of a national referendum, the Constitution of the Republic of Uzbekistan was adopted in an updated version. This Constitution started a new stage in the development of civil society institutions by changing the principle of "state-society-man" that has been in effect for years to a new paradigm: "man-society-state". First of all, a separate chapter dedicated to civil society institutions was included in our Constitution for the first time. Chapter XIII of the newly revised Constitution was named «Civil Society Institutions». Today, there are about 9,000 non-governmental non-commercial organizations and more than 9,000 self-governing bodies operating in Uzbekistan [6]. The concept of civil society institutions was mentioned in scientific literature, but the concept of this institution was not given in normative legal documents. In the guidelines of the World Bank «Consultation with civil society organizations» it is recommended to use the concept of "civil society institution".

Article 69 of the newly revised Constitution stipulates that «institutions of civil society, including public associations and other non-governmental non-profit organizations, self-government bodies of citizens, mass media constitute the basis of civil society» [7]. Institutions of civil society serve as an important guarantee of ensuring democracy, rule of law and individual freedoms in the country. They help to increase the civil activity, national self-awareness, political culture and high spirituality of the members of the society, to form the desire to think independently, realize their potential, and build their own future. serves. At the same time, as a complex of organizations that can be a reliable representative between the state and citizens in the implementation of democratic reforms, it can be an effective partner in the implementation of public control. This norm strengthens the constitutional and legal status of civil society institutions.

Now, according to this constitutional article: «In the Republic of Uzbekistan, trade unions, political parties, societies of scientists, women's organizations, organizations of veterans, youth and persons with disabilities, creative associations, mass movements and other associations of citizens are public associations. is recognized. Dissolution of public associations, prohibition or limitation of their activity is carried out only on the basis of a court decision.

Certain obligations related to ensuring the activities of civil society institutions were assigned to the state. According to the first paragraph of Article 72 of the Constitution: «The state ensures compliance with the rights and legal interests of non-governmental non-commercial organizations, provides them with equal legal opportunities to participate in the life of society [8].

At the same time, it was guaranteed that state bodies and officials would not interfere in the activities of non-governmental non-profit organizations, so that state bodies and civil society institutions would operate independently of each other.

In addition, the norms of civil political parties, self-governing bodies, trade unions, non-governmental non-profit organizations, mass media and public associations expressed in

the constitution are the legal status and constitutional powers of individual institutions of civil society. serves as

In addition, in the Basic Law, the issue of supporting civil society institutions was placed among the powers of the Cabinet of Ministers. According to the sixth paragraph of Article 115 of the Constitution, the Cabinet of Ministers: "implements measures to support civil society institutions, ensures their participation in the development and implementation of socio-economic development and social partnership programs."

Article 148 of the updated Constitution stipulates that "citizens and civil society institutions exercise public control over the formation and implementation of the state budget of the Republic of Uzbekistan" and further expanded the constitutional powers of civil society institutions in establishing a truly civil society.

In short, the establishment of the above norms in the Constitution serves to systematize the legal documents that directly regulate the activities of civil society institutions and their rights, powers and legal powers. At the same time, by gradually handing over state functions to these institutions, it will be an incentive to increase their social activity. Also, these changes serve as an effective mechanism for strengthening public control over budget expenditures in cooperation with civil society institutions, ensuring macroeconomic stability, and preventing corruption in this area.

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